

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Rejection of Claims 1-5, 7-16, 18-22 and 27-35 Under 35 U.S.C. §103(a)

The Office Action rejects claims 25 and 26 under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (U.S. Patent No. 5,748,789) ("Lee et al.") in view of Lennon et al. (U.S. Patent No. 6,516,090) ("Lennon et al."). Applicant does not acquiesce to the reasoning of the Final Office Action and Advisory Action that it would be obvious for one of skill in the art to combine Lee et al. with Lennon et al. However, to further prosecution of the matter, Applicant has amended the independent claims 1, 9, 13, 15, 18 and 21 to distinguish the invention from the combination of references. Applicant reserves the right to further argue against the combination of Lee et al. and Lennon et al. and for the patentability of the previous claims in this or a continuation application.

Applicant has amended the claims, for example claim 1, to recite wherein each of the at least two video content portions comprises a temporal, multiframe segment of the video content. An example of such segment is shown in Figures 4 and 5 of the current specification. Applicant notes that the Office Action on page 7 equates the at least two video portions with the teachings of Lee et al. in column 42, lines 47-61. The Office Action states: "note each video object has an arbitrary shape, and that each video object is predefined according to its shape, thus, each video object or video portion is assigned a predefined encoder modeled by a mask of alpha values or a binary mask..." Applicant notes that this portion of Lee et al. actually teaches the following:

"The shape information is either generated by segmentation or is predefined, as in the case of synthetic objects that already have an alpha plane. The shape information is typically represented by a mask such as an array of alpha values (e.g., 8 bit grey scale alpha) associated with a synthetic object or a binary mask generated during the segmentation process. Each object can have an arbitrary shape. One way to generate shape information for natural image video is to use the well-known "blue screen"

technique. In this approach, an object or objects are filmed in front of blue screen. The blue background in each frame can then be used to generate the shape information of the object for each frame: the blue region in each frame represents the area outside an object, while the non-blue area represents the object.”

Applicant respectfully submits that this only relates to shape information of an object and that the use of a mask is only for the purpose of representing the shape information. There is nothing in this cited portion of the reference that teaches that the video object or the video portion is “assigned a predefined encoder model by a mask of alpha values or a binary mask.” The mask or binary mask in Lee et al. are certainly not taught as “assigning” a predefined encoder model. These masks merely represent shape information.

In fact, column 2, line 62, right after introducing the shape information, teaches that “the encoder separately codes objects as illustrated in coding units 1504-1508 shown in Fig. 33. These coding units 1504-1508 encode the shape, motion and texture for each object.” In other words, Applicant respectfully submits that each coding unit 1504-1508 each encode a separate object as is identified in Figure 33 wherein object “0” is encoded by coder 1504, object “1” is encoded by coder 1506 and object “2” is encoded by coder 1508. Within each encoder 1504-1508 are different parts which include a shape coder 1580, a motion coder 1582 and a texture coder 1584 as is shown in Figure 36 and discussed in column 44. Column 44 continues to discuss various details about the shape coder 1580, the motion coder 1582 and the texture coder 1584. Again these are all part of a single encoder as is taught in Lee et al. and to the extent that the encoder 1504, 1506, 1508 separates parts of an object, they do so on a shape, motion and texture basis within the same object. Applicant respectfully submits that this certainly differs from the concept recited in the claims wherein temporal, multiframe segments of video content are each assigned a predefined model and routed to one of a plurality of encoders based on respective one of the predefined models.

While Applicant has generally discussed claim 1, Applicant respectfully submits that the same principle applies independently to each independent claim wherein even with appropriate variations in scope and content, each of the independent claims is patentable in view of the current claim limitations.

Furthermore, Applicant notes that the Final Office Action on page 7 also cites Figure 27A and notes that there are at least two portions with various elements 972, 974... The Office Action also cites Figure 35 in which frame 1538 is shown as consisting of multiple portions. Based on the discussion set forth above, Applicant respectfully submits that clearly where each of the at least two video content portions is now recited to comprise a temporal and multiframe segment of the video content, this clearly distinguishes the present invention from this additional discussion in Lee et al. of Figure 27A and Figure 35.

Accordingly, Applicant respectfully submits that the independent claims as well as the claims that depend therefrom are patentable and in condition for allowance.

CONCLUSION

Having addressed all rejections and objections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit Novak, Druce & Quigg, LLP, Deposit Account No. 141437 for any deficiency or overpayment.

Respectfully submitted,

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